

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	
v.)	02: 04cr290
)	
JAMES J. GROSJEAN)	

ORDER OF COURT

Presently before the Court for disposition are the MOTIONS IN LIMINE filed by Defendant, James J. Grosjean (*Document No. 43*), and the government's answer to these motions (*Document No. 44*).

After consideration of the filings of the parties, the Court makes the following rulings.

MOTION TO EXCLUDE EVIDENCE OF LAMARCA PAINTING

Defendant requests that the Court exclude evidence which pertains "to Lamarca Painting, the painting contractor chosen by Brian Ramsey to work on certain Allegheny Power projects." The government responds that "it does not currently intend to use such evidence in its case in chief" and that "[i]f factors should emerge making use of the foregoing evidence advisable, the government will seek leave of Court." Govt's Ans. at ¶¶ 1 and 3.

Accordingly, at this time, Defendant's motion to exclude evidence pertaining to Lamarca Painting is moot and therefore **DENIED WITHOUT PREJUDICE**.

MOTION TO EXCLUDE EVIDENCE FO EXPENSE REPORT PAYMENTS

Defendant requests that the Court "exclude all evidence regarding the monthly expense reports filed by Fred Episcopo," an officer of Wyatt Inc., Defendant's employer. The

government again responds that “it does not currently intend to use such evidence in its case in chief” and that “[i]f factors should emerge making use of the foregoing evidence advisable, the government will seek leave of Court.” Govt’s Ans. at ¶¶ 2 and 3.

Accordingly, at this time, Defendant’s motion to exclude all evidence regarding the monthly expense reports filed by Fred Episcopo is moot and therefore **DENIED WITHOUT PREJUDICE**.

BY THE COURT:

s/Terrence F. McVerry
United States District Court Judge

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